

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

To: Marlene H. Dortch, Commission Secretary, Office of the Secretary, Federal Commission
Commission, 445 12th Street, S.W., Suite TW-A235, Washington, D.C. 20554 (*original* plus 4 copies);
Federal Communications Commission, Enforcement Bureau, Telecommunications Consumers Division,
445 12th Street, S.W., Washington, D.C. 20554 (2 copies); Best Copy and Printing, Inc. 445 12th Street,
S.W., Suite CY-B402, Washington, D.C. 20554 (1 copy).

Annual Certification for 2010 – Covering the prior calendar year 2009

Date Filed: February 23, 2010

Name of Company covered by this certification: Meriplex Communications, Ltd.

Form 499 Filer ID: 825982

Name of Signatory: Arthur L. Henley

Title of Signatory: CEO and General Manager

I certify that I am an officer of Meriplex Communications, Ltd. (Meriplex), and acting as its agent. I have personal knowledge that the company has established operating procedures adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Meriplex has no residential customers; accordingly, Meriplex continues to assert that it is exempt from filing an annual certification under the business customer exemption found in *In the Matter of Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information IP-Enabled Services*, CC Docket No. 96-115 and WC Docket No. 04-36, Report and Order and Further Notice of Proposed Rulemaking (Released: April 2, 2007) at para. 25 (Pretexting Order).

Meriplex only provides services to business customers, not residential consumers. Its customers are served by dedicated account representatives. Furthermore, Meriplex has contracts with all of its customers with language that protects the customer's proprietary information. Meriplex does not release this information to any third party. Nonetheless, Meriplex has attached to this certification an accompanying statement explaining how the company's procedures ensure that the company complies with the requirements (including those mandating the adoption of CPNI procedures, training, record keeping, and supervisory review) set forth in Section 64.2001 *et seq.* of the Commission's rules.

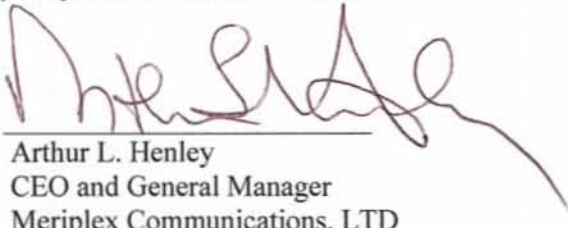
Meriplex has not taken any actions as a result of proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers as there were no proceedings, petitions or complaints filed with state commissions, the courts or the Commission.

Meriplex has not received any complaints whatsoever in the past year concerning the unauthorized access to CPNI, or unauthorized disclosure of CPNI. There have been no instances of improper access by employees, nor any instances of improper disclosure to individuals not authorized to receive the information, nor any instances of improper access of online information by individuals not authorized to view the information.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that

false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed

A handwritten signature in dark ink, appearing to read 'Arthur L. Henley', written over a horizontal line.

Arthur L. Henley
CEO and General Manager
Meriplex Communications, LTD

Attachments: **Statement of Compliance**
Customer Proprietary Network Information Notice

STATEMENT OF COMPLIANCE
MERIPLEX COMMUNICATIONS, LTD.

February 25, 2010

Meriplex employs the procedures necessary to comply with its customer contracts and privacy policy. These procedures, some of which are listed below, enable Meriplex to comply with the Commission's CPNI rules. Employees who are authorized access to CPNI receive specific training annually to insure compliance with the rules, customer contracts and Meriplex's privacy policy. Meriplex has established security logs to record privacy related actions. In addition to addressing privacy of customer records in its contracts, Meriplex is also sending informational notices to its customers (copy attached).

- Meriplex serves only business customers. Its customer contracts specifically address the privacy and security of customer information.
- Each customer has a dedicated account representative.
- Meriplex does not disclose CPNI to an unaffiliated third party.
- Meriplex limits CPNI access to only authorized and trained employees.
- Authorized employees must use a valid login and password to access CPNI.
- Meriplex provides password protection for online account access.
- Any changes in CPNI, disclosures or use by Meriplex's marketing personnel will be recorded in a security log.
- Because the release of call detail information over the telephone presents an immediate risk to privacy, Meriplex does not release call detail information based on customer-initiated telephone contact. When requested to do so, it may send such information to the customer's address of record; or when an authorized employee calls the telephone number of record and discloses the information.
- Meriplex will immediately notify its customers of a change to its account or address of record. Notification may be by voicemail, text message or by mail to the customer's address of record.
- If there has been a breach of CPNI, Meriplex will provide electronic notification of the breach within seven days after it notifies the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI"), unless the USSS or FBI requests that Meriplex postpone its disclosure. Meriplex will however notify affected customers immediately if there is a risk of immediate and irreparable harm.
- Meriplex will obtain opt-in consent from a customer before disclosing a customer's CPNI to a joint venture partner or an independent contractor for the marketing of communications-related services to the customer.
- Supervision is ongoing and supervisors audit records at least annually.



Customer Proprietary Network Information Notice

Overview

There are special protections for personal information we obtain in providing service to you. That information, when matched to your name, address, or telephone number is known as "Customer Proprietary Network Information" or CPNI. Examples of CPNI include who, when and where you call; where you call from; how much you spend on local and long distance phone calls; the phone services you receive; pricing plans; billing information; and your PIN number, password and other security measures. We do not sell your CPNI information, and your CPNI will not be disclosed to third parties outside of our company and our affiliates, except as otherwise required by law.

By law, we can use your CPNI to offer our communications-related services to you, unless you request otherwise during the 30 day period following receipt of this notice. You can also withdraw the right for us to use your CPNI for these purposes at any time by contacting us at 866.637.4235, or by email to info@meriplex.com. Regardless, we do not share your CPNI with independent contractors, vendors or any joint venture partners for marketing purposes without your prior consent.

When you contact us, we may ask for your consent to use your CPNI in marketing service packages. This consent applies only for the duration of the call or Internet session. As an alternative, you can consent by writing to the address listed on your bill or by email to info@meriplex.com. Restricting our use of your CPNI will not affect your service. If you previously contacted us to approve or restrict our use of your CPNI, we will continue to honor your request and you do not need to contact us again.

Employee Authorization

Only authorized and trained Meriplex employees may access and use customer CPNI. Authorized employees designated by the Meriplex management must be trained in the use of this policy and be made aware of the security and record-keeping requirements of this policy.

Training of all employees who have access to CPNI documents is conducted annually; and, although supervisory review is ongoing, an audit is also conducted annually.

Any employee that is found to have violated this policy will be subject to disciplinary action up to and including termination.

CPNI Security

An authorized Meriplex or Customer employee must have a valid login identification and password to access CPNI online. CPNI (including CDR information) may be disclosed over the phone, via mail or in person to authorized contacts on the customer's account.

Online access to CPNI (including CDR information) is password protected, and password authentication may be done through authorized contacts on the customer's account.

Changes to the customer's address of record may be done through authorized contacts on the customer's account, and in such instances, no separate notification of the change(s) will be provided to the customer. CPNI (including CDR information) may be disclosed to any person designated by customer, but only upon receipt of a written request for such disclosure and verification of the request by the Company.

Meriplex CPNI Use and Tracking

Federal Law permits Meriplex the use to, disclose, and permit access to CPNI obtained from our customers, either directly or indirectly, to:



- initiate, render, bill, and collect for telecommunications services;
- protect our rights and property, and protect our users of these services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, these services;
- provide any inbound telemarketing, referral, or administrative services to you for the duration of the call, if you initiated the call and you approve of the use of this information to provide these services;
- As necessary, Meriplex must disclose information to comply with court orders or subpoenas.

Any changes or disclosures by employees and use by marketing personnel of CPNI are recorded in the Meriplex CPNI security log.